

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVOOD KHADEMI,

Plaintiff,

v.

NORTH KERN STATE PRISON, et al.,

Defendants.

Case No. 1:21-cv-01261-ADA-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS THIS
ACTION FOR A FAILURE TO PROSECUTE
AND FAILURE TO KEEP COURT APPRISED
OF CURRENT ADDRESS

(ECF No. 20)

Plaintiff Davood Khademi is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 30, 2022, the assigned Magistrate Judge issued findings and recommendations to dismiss this action for Plaintiff's failure to prosecute and failure to keep the Court apprised of his current address. (ECF No. 20.)¹ Plaintiff did not file objections and the time to do so has passed.

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¹ A docket entry dated June 15, 2022, indicates the Order Adopting Findings and Recommendations and Denying Plaintiff's Motion for a Temporary Restraining Order (ECF No. 18) was returned to the Court via U.S. Mail marked "Undeliverable, Return to Sender, Unable to Forward." An additional docket entry dated September 6, 2022, indicates the Order Reassigning Case (ECF No. 19) and Findings and Recommendations to Dismiss this Action for a Failure to Prosecute and Failure to Keep Court Apprised of Current Address (ECF No. 20) were returned to the Court via U.S. Mail marked "Undeliverable, Refused, Not at Facility."

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the
3 findings and recommendations to be supported by the record and proper analysis.

4 Accordingly, **IT IS HEREBY ORDERED** that:

- 5 1. The findings and recommendations issued August 30, 2022 (ECF No. 20), are
6 **ADOPTED in FULL;**
7 2. This action is **DISMISSED**, without prejudice, for Plaintiff's failure to prosecute and
8 failure to keep the Court apprised of his current address; and
9 3. The Clerk of the Court is directed to terminate any pending motions and to close this
10 case.

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13 IT IS SO ORDERED.

14 Dated: September 28, 2022

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17 UNITED STATES DISTRICT JUDGE
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